

2017 Regular Session

HOUSE BILL NO. 330

BY REPRESENTATIVE HENRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS/FINANCE-MFP: (Constitutional Amendment) Permits legislative amendment of the MFP formula to change the base cost per pupil

1 A JOINT RESOLUTION

2 Proposing to amend Article VIII, Section 13(B) of the Constitution of Louisiana, to permit
3 the legislature to amend the minimum foundation program formula only to change
4 the base cost per pupil; to provide for submission of the proposed amendment to the
5 electors; and to provide for related matters.

6 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
7 elected to each house concurring, that there shall be submitted to the electors of the state of
8 Louisiana, for their approval or rejection in the manner provided by law, a proposal to
9 amend Article VIII, Section 13(B) of the Constitution of Louisiana, to read as follows:

10 §13. Funding; Apportionment

11 Section 13.

12 * * *

13 (B) Minimum Foundation Program. The State Board of Elementary and
14 Secondary Education, or its successor, shall annually develop and adopt a formula
15 which shall be used to determine the cost of a minimum foundation program of
16 education in all public elementary and secondary schools as well as to equitably
17 allocate the funds to ~~parish and city~~ city, parish, and other local public school
18 systems. Such formula shall provide for a contribution by every city and parish
19 school system. Prior to approval of the formula by the legislature, the legislature
20 may ~~return~~ amend the formula ~~adopted by the board to the board and may~~

1 ~~recommend to the board an amended formula for consideration by the board and~~
2 ~~submission to the legislature for approval.~~ only to change the base cost per pupil. The
3 legislature shall annually appropriate funds sufficient to fully fund the current cost
4 to the state of such a program as determined by applying the approved formula in
5 order to ~~insure~~ ensure a minimum foundation of education in all public elementary
6 and secondary schools. Neither the governor nor the legislature may reduce such
7 appropriation, except that the governor may reduce such appropriation using means
8 provided in the act containing the appropriation provided that any such reduction is
9 consented to in writing by two-thirds of the elected members of each house of the
10 legislature. The funds appropriated shall be equitably allocated to ~~parish and city~~
11 city, parish, and other local public school systems according to the formula as
12 adopted by the State Board of Elementary and Secondary Education, or its successor,
13 and approved by the legislature prior to making the appropriation. Whenever the
14 legislature fails to approve the formula most recently adopted by the board, or its
15 successor, the last formula adopted by the board, or its successor, and approved by
16 the legislature shall be used for the determination of the cost of the minimum
17 foundation program and for the allocation of funds appropriated.

* * *

19 Section 2. Be it further resolved that this proposed amendment shall be submitted
20 to the electors of the state of Louisiana at the statewide election to be held on November 6,
21 2018.

22 Section 3. Be it further resolved that on the official ballot to be used at the election,
23 there shall be printed a proposition, upon which the electors of the state shall be permitted
24 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
25 follows:

26 Do you support an amendment to allow the legislature to amend the
27 minimum foundation program (MFP) formula for funding local public school
28 systems, but only to change the base cost per pupil? (Amends Article VIII,
29 Section 13(B))

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 330 Original

2017 Regular Session

Henry

Abstract: Allows the legislature to amend the minimum foundation program (MFP) formula for funding city, parish, and other local public school systems only to change the base cost per pupil.

Present constitution requires the State Bd. of Elementary and Secondary Education (BESE) to annually develop and adopt a formula which shall be used to determine the cost of a minimum foundation program of education in all public elementary and secondary schools and to equitably allocate the funds to parish and city school systems. Requires the formula to provide for a contribution by every city and parish school system. Provides that prior to approval of the formula by the legislature, the legislature may return the formula to BESE and may recommend an amended formula for consideration by BESE. Requires that the legislature annually appropriate funds sufficient to fully fund the current cost to the state as determined by the approved formula. Prohibits reduction in such appropriation except that the governor may reduce such appropriation under certain circumstances. Requires that funds appropriated be allocated according to the formula as adopted by BESE and approved by the legislature prior to making the appropriation. Provides that if the legislature fails to approve the formula most recently adopted by BESE, the last formula adopted by BESE and approved by the legislature shall be used to determine MFP cost and allocation of funds appropriated.

Proposed constitutional amendment deletes present constitution provision permitting the legislature to return the formula to BESE and recommend an amended formula and provides instead that the legislature may amend the formula only to change the base cost per pupil. Proposed constitutional amendment changes present constitution references to city and parish school systems to "city, parish, and other local public school systems." Otherwise retains present constitution.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 6, 2018.

(Amends Const. Art. VIII, Sec. 13(B))